

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE  
(DO/EO/US) CONCERNING A FILING UNDER 35 U.S.C. 371

ATTORNEY'S DOCKET NUMBER  MSFT125324		
U.S. APPLICATION NO. (if known, see 37 C.F.R. 1.5) <b>10/537720</b>		
INTERNATIONAL APPLICATION NO.  PCT/US2005/008111	INTERNATIONAL FILING DATE  11 March 2005 (11/03/05)	EARLIEST PRIORITY DATE CLAIMED  12 March 2004 (12/03/04)
TITLE OF INVENTION  APPLICATION PROGRAMMING INTERFACE FOR ADMINISTERING THE DISTRIBUTION OF SOFTWARE UPDATES IN AN UPDATE DISTRIBUTION SYSTEM		
APPLICANT(S) FOR DO/EO/US  Daniel GIAMBALVO, Jay THALER, Kenneth SHOWMAN, David DEGHAN, Thomas A. SPONHEIM, Renan JEFFEREIS, Kristopher J. OWENS, Carey TANNER, Quan WANG, Nicole A. HAMILTON, Dennis C. MARL, and Nirmal R. SOY		

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information by **Express Mail**:

- ☒ 1. This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
- ☐ 2. This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 37 U.S.C. 371.
- ☒ 3. This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
- ☒ 4. The US has been elected (Article 31).
- ☒ 5. A copy of the International Application as filed (35 U.S.C. 371(c)(2))
  - ☐ a. is attached hereto (required only if not communicated by the International Bureau).
  - ☐ b. has been communicated by the International Bureau.
  - ☒ c. is not required, as the application was filed in the United States Receiving Office (RO/US).

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Seattle, Washington 98101  
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- \_\_\_\_\_ 6. An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
- X   7. Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
- \_\_\_\_\_ a. are attached hereto (required only if not communicated by the International Bureau).
- \_\_\_\_\_ b. have been communicated by the International Bureau.
- X   c. have not been made; however, the time limit for making such amendments has NOT expired.
- \_\_\_\_\_ d. have not been made and will not be made.
- \_\_\_\_\_ 8. An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
- X   9. An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
- \_\_\_\_\_ 10. An English language translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

**Items 11 to 20 below concern document(s) or information included:**

- \_\_\_\_\_ 11. An Information Disclosure Statement under 37 C.F.R. 1.97 and 1.98.
- \_\_\_\_\_ 12. An assignment document for recording. A separate cover sheet in compliance with 37 C.F.R. 3.28 and 3.31 is included.
- \_\_\_\_\_ 13. A preliminary amendment.
- X   14. An Application Data Sheet under 37 C.F.R. 1.76..
- \_\_\_\_\_ 15. A substitute specification.
- \_\_\_\_\_ 16. A power of attorney and/or change of address letter.
- \_\_\_\_\_ 17. A computer-readable form of the sequence listing in accordance with PCT Rule 13<sup>ter</sup>.2 and 37 C.F.R. 1.821 – 1.825.
- \_\_\_\_\_ 18. A second copy of the published international application under 35 U.S.C. 154(d)(4).
- \_\_\_\_\_ 19. A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
- \_\_\_\_\_ 20. Other items or information:

The following fees are submitted:.				CALCULATIONS	
21. <input checked="" type="checkbox"/> a) Basic national fee..... \$300.00				\$300.00	
22. <input checked="" type="checkbox"/> b) Examination fee				\$200.00	
If International preliminary examination report prepared by USPTO and all claims satisfy provisions of PCT Article 33(1)-(4) ..... \$100.00					
All other situations ..... \$200.00					
23. <input checked="" type="checkbox"/> c) Search fee				\$100.00	
Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority..... \$100.00					
International Search Report prepared and provided to the Office ..... \$400.00					
All other situations ..... \$500.00					
<b>TOTAL OF ABOVE CALCULATIONS =</b>				\$600.00	
____ Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing or computer program listing filed in an electronic medium). The fee is \$250.00 for each additional 50 sheets of paper or fraction thereof.					
Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	Rate		
47 - 100 =	0/50=		x \$250	\$- 0 -	
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(h)).				\$- 0 -	
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	18- 20 =	0	x \$50.00	\$-0-	
Independent claims	3- 3 =	0	x \$200.00	\$-0-	
MULTIPLE DEPENDENT CLAIMS(S) (if applicable)			+ \$360.00	\$-0-	
<b>TOTAL OF ABOVE CALCULATIONS =</b>				\$600.00	
____ Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				\$	
<b>SUBTOTAL =</b>				\$600.00	
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).				\$	
<b>TOTAL NATIONAL FEE =</b>				\$600.00	
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property.				\$	
<b>TOTAL FEES ENCLOSED =</b>				\$600.00	

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	Amount to be: refunded	\$
	Amount to be charged:	\$

- X   a. Check No. 164061 in the amount of \$600.00 to cover the above fees is enclosed.
- X   b. The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 03-1740. A duplicate copy of this sheet is enclosed.

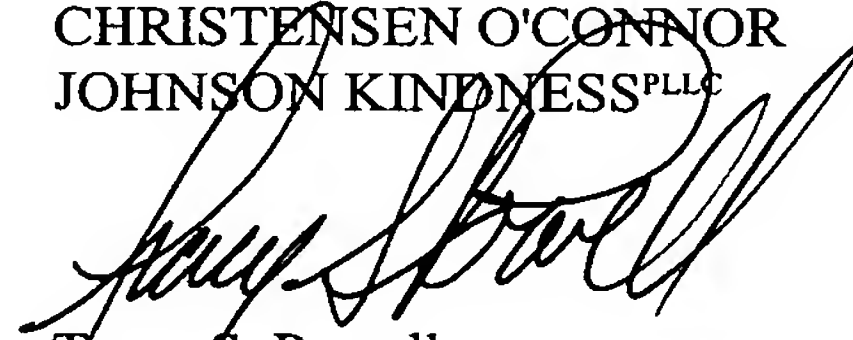
SEND ALL CORRESPONDENCE TO:

**Customer No. 38991**

Tracy S. Powell  
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Respectfully submitted,

CHRISTENSEN O'CONNOR  
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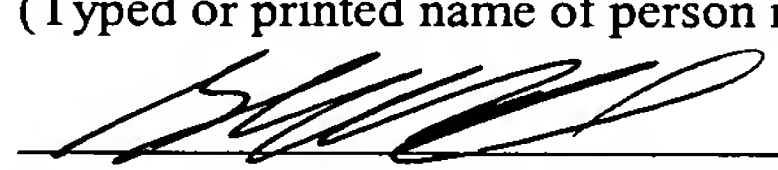
  
 Tracy S. Powell  
 Registration No. 53,479  
 Direct Dial No. 206.695.1786

**EXPRESS MAIL CERTIFICATE**

Express Mail No.: EV 534747586 US  
 Date of Deposit: June 7, 2005

I hereby certify that this document and the enclosures listed therein are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above and is addressed to Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Gregg Peria-Hansen  
 (Typed or printed name of person mailing paper or fee)

  
 (Signature of person mailing paper or fee)

TSP:lal

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